

Attorney's Docket No.: 24741-1509US (17164-008US1)

OFFICIAL COMMUNICATION**FACSIMILE****FOR THE PERSONAL ATTENTION OF:****EXAMINER J. A. GOLDBERG****U.S. PATENT AND TRADEMARK OFFICE (PATENT)****COMMISSIONER FOR PATENTS****WASHINGTON, DC 20231****GROUP 1634 FAX NO: 571-273-0743**

Number of pages including this page 14

Applicant : Michael W. Dahm, et al.

Serial No. : 09/601,645

Conf. No. : 7793

Filed : August 4, 2000

Title : METHOD FOR QUANTITATIVE DETERMINATION OF TUMOR CELLS IN
A BODY FLUID AND TEST KITS SUITED THEREFOR

Art Unit : 1634

Examiner : Goldberg J. A.

FACSIMILE COMMUNICATION

Commissioner for Patents

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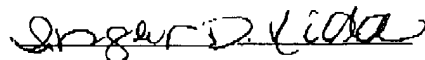
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is a copy of a Supplemental Information Disclosure Statement that was not initialed, mailed April 2, 2002 with a return postcard date-stamped April 8, 2002 and cited reference, faxed this 6th day of May, 2004, to Group 1634, at the United States Patent and Trademark Office.

Respectfully submitted,

Date: May 6, 2004



Inger D. Kidd

Fish & Richardson P.C.
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APPLICANT: DAHM *et al.*
SERIAL NO: 09/601,645
FOR: METHOD FOR THE QUANTITATIVE DETERMINATION OF TUMOR
CELLS IN A BODY FLUID AND TEST KITS SUITABLE THEREOF

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAHM *et al.*

Serial No.: 09/601,645

Conf. No.: 7793

National Stage of: PCT/EP99/00716

International Filing Date: February 3, 1999

Commencement of National Stage:

August 8, 2000

For: *METHOD FOR THE QUANTITATIVE
DETERMINATION OF TUMOR CELLS IN
A BODY FLUID AND TEST KITS
SUITABLE THEREOF*

Art Unit: 1655

Examiner: Zitomer, S.

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Date

Kelly M. Fischer
Kelly M. Fischer

TRANSMITTAL LETTER

US Patent and Trademark Office
PO Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, cited reference and PTO-Form 1449 (1 page) for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed **after receipt of a First Office Action on the merits for the above-captioned application** but before either a Final Office Action or Notice of Allowance in the above-referenced application, a fee for filing this statement is included herewith. However, should said fee be either missing or incorrect, the Commissioner is authorized to charge deposit account No. 50-1213, for the appropriate fee as stated below:



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Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: _____

Stephanie L. Seidman

Registration No. 33,779

Attorney Docket No. 24741-1509US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DAHM *et al.*

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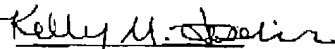
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Kelly M. FischerSUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98US Patent and Trademark Office
PO Box 2327
Arlington, VA 22202

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed after receipt of a first Office Action on the merits for the above-captioned application, the filing fee of \$180.00 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-

U.S.S.N. 09/601,645
DAHM, *et al.*
SUPPLEMENTAL IDS

1.98. Form PTO-1449 (1 page) and a copy of the cited document are provided herewith.

The document listed on the Form PTO-1449 is product literature for OncoQuick® by HEXAL Gentech. OncoQuick® was first offered for sale November 2000 at the Medica Fair in Düsseldorf, Germany. This product was subsequently offered for sale in the United States in January 2001. This document is supplied herewith in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:


Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 24741-1509US
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